

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 24-640V

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JAMIE FLETCHER and AARON
FLETCHER, *on behalf of G.F., a minor
child,*

* Chief Special Master Corcoran

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* Filed: October 1, 2024

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Petitioners,

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v.

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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Respondent.

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Diana Lynn Stadelnikas, McLaw, Sarasota, FL, for Petitioners.

Margaret Armstrong, U.S. Dep’t of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On April 23, 2024, Jamie and Aaron Fletcher, on behalf of their minor son, G.F., filed a petition seeking compensation under the National Vaccine Injury Compensation Program (the “Vaccine Program”).² Petition (ECF No. 1) at 1. Petitioners allege that G.F.’s receipt of a rotavirus vaccination on or about January 7, 2022, caused G.F. to suffer intussusception. *Id.* at 1–4.

In his Rule 4(c) Report, Respondent has acknowledged that Petitioners’ claim is compensable under the Act. *See* Respondent’s Report, dated September 30, 2024 (ECF No. 13). Respondent specifically stated that medical personnel at the Division of Injury Compensation Programs, Department of Health and Human Services, have reviewed the petition and

¹ “Under Vaccine Rule 18(b), each party has fourteen (14) days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, the whole Decision will be available to the public in its present form. *Id.*”

² The Vaccine Program comprises Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3758, codified as amended at 42 U.S.C. §§ 300aa-10 through 34 (2012) (“Vaccine Act” or “the Act”). Individual section references hereafter will be to § 300aa of the Act (but will omit that statutory prefix).

accompanying documents filed in this case, as well as the relevant medical records, and Respondent has concluded that Petitioners have met their burden of proof in connecting the vaccination that G.F. received to his condition as required for entitlement under the Vaccine Act. *Id.* at 5. Respondent concedes that the evidence shows that G.F.’s intussusception manifested between one and twenty-one days after his receipt of the rotavirus vaccine, that there is no preponderant evidence that his condition was due to a factor unrelated to the vaccine, and that his intussusception “resulted in inpatient hospitalization and surgical intervention.” *Id.* at 5–6.

In view of Respondent’s concession and based on my own review of the record (*see* Section 13(a)(1); 42 C.F.R. § 100.3 (a)(I)), I find that Petitioners are entitled to compensation. A separate damages order will be issued shortly.

Any questions may be directed to my law clerk, Madison Atkinson, at madison_atkinson@cfc.uscourts.gov.

IT IS SO ORDERED.

/s/ Brian H. Corcoran
Brian H. Corcoran
Chief Special Master